



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 10, 2014

BY FACSIMILE/ECF

Honorable Richard M. Berman
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

**Re: United States v. Aafia Siddiqui
08 Cr. 826 (RMB)**

Dear Judge Berman:

The Government is in receipt of the motion filed by the defendant in the above-referenced case on January 25, 2014, seeking to modify certain protective orders issued by Your Honor, as well as the Court's memo endorsement directing the Government to respond to the motion by today, February 10, 2014. The Government has no objection to the Court's issuance of the modified protective order requested by the defendant, with one suggested adjustment, which is described below. In general terms, the proposed modified order is consistent with the two protective orders previously entered in this case (on March 12, 2009 and August 25, 2009, respectively), and it will permit the disclosure of discovery materials previously produced to counsel for the defendant in this case to Tina Foster, Esq., the defendant's retained, post-conviction counsel, under the same terms that these discovery materials were previously produced to counsel of record and trial counsel.

As noted above, the Government is not opposed to the entry of the proposed modified protective order submitted for the Court's consideration in connection with the defendant's motion. Because the two prior protective orders issued in this case pertained solely to material produced by the Government pursuant to its discovery obligations, and referred to the items subject to the protective orders as "discovery materials," the Government would suggest making it clear within the proposed protective order that the items covered are also "discovery

materials.” Presently, the proposed order submitted by the defendant for the Court’s consideration refers only to “materials.”

Respectfully submitted,

PREET BHARARA
United States Attorney

by: ___/s/_____
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cc: Counsel of record (by ECF)